
By: ~~Delegates Leopold, Frush, Boschert, McMillan, Cadden, V. Clagett,
Costa, Dwyer, Gilleland, Love, McConkey, Menes, Moe, and Sophocleus~~
Anne Arundel County Delegation

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Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 2004

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County - Highways - Solicitation of Money or Donations from**
3 **Occupants of Vehicles - County Licensing Program Authorized**

4 FOR the purpose of authorizing the Anne Arundel County Council to enact, by
5 ordinance, a certain licensing program for individuals who are of a certain age or
6 older and certain organizations that wish to solicit money or donations from the
7 occupants of vehicles by standing in a roadway, median divider, or intersection
8 in Anne Arundel County; providing that the licensing program, if enacted, may
9 impose a fee for the license in an amount not to exceed the county's cost to
10 administer the licensing program and may provide for an exemption for an
11 individual who is unable to pay the fee ~~and any other exemption from the fee~~
12 ~~that the county council considers appropriate or necessary; requiring an~~
13 ordinance that imposes a fee under this Act on an applicant that is a qualified
14 organization organized on a national or statewide basis and having more than
15 one county or local chapter in the State to impose one fee to be paid by the
16 national or statewide organization to cover all of the county or local chapters in
17 the State; providing that if the county council enacts a licensing program
18 authorized by this Act, an individual or organization that decides not to seek to
19 become licensed under the program ~~or that is denied a license under the~~
20 ~~program~~ is prohibited from standing in a roadway, median divider, or
21 intersection in Anne Arundel County to solicit money or donations of any kind
22 from the occupants of vehicles; requiring, if the county council enacts a licensing
23 program authorized by this Act, the Anne Arundel County Police Department,
24 on or before a certain date after a certain occurrence, to report to the Anne
25 Arundel County Delegation to the General Assembly on certain matters; and
26 generally relating to the solicitation of money or donations from occupants of

1 vehicles by certain individuals and organizations in roadways in Anne Arundel
2 County.

3 BY repealing and reenacting, with amendments,
4 Article - Transportation
5 Section 21-507
6 Annotated Code of Maryland
7 (2002 Replacement Volume and 2003 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article - Transportation**

11 21-507.

12 (a) Except for the occupant of a disabled vehicle who seeks the aid of another
13 vehicle, a person may not stand in a roadway to solicit a ride, employment, or
14 business from the occupant of any vehicle.

15 (b) A person may not stand on or near a highway to solicit any other person to
16 watch or guard any vehicle while it is parked or about to be parked on a highway.

17 (c) In Charles County, Harford County, and Washington County, a person may
18 not stand in a roadway, median divider, or intersection to solicit money or donations of
19 any kind from the occupant of a vehicle.

20 (d) (1) In Prince George's County:

21 (i) A child under the age of 15 years may not stand in a roadway,
22 median divider, or intersection to solicit money or donations of any kind from the
23 occupant of a vehicle; and

24 (ii) An adult may not cause, encourage, allow, or petition a child
25 under the age of 15 years to stand in a roadway, median divider, or intersection to
26 solicit money or donations of any kind from the occupant of a vehicle.

27 (2) A child under the age of 15 years may not be found guilty or
28 adjudicated delinquent for a violation of paragraph (1)(i) of this subsection if an adult
29 caused, encouraged, allowed, or petitioned the child in violation of paragraph (1)(ii) of
30 this subsection.

31 (E) (1) THIS SUBSECTION APPLIES TO ANNE ARUNDEL COUNTY.

32 (2) IN THIS SUBSECTION, "QUALIFIED ORGANIZATION" MEANS A FIRE
33 COMPANY OR A BONA FIDE RELIGIOUS, FRATERNAL, CIVIC, WAR VETERANS', OR
34 CHARITABLE ORGANIZATION.

1 (3) THE ANNE ARUNDEL COUNTY COUNCIL MAY, BY ORDINANCE, ENACT
2 A LICENSING PROGRAM FOR INDIVIDUALS WHO ARE 18 YEARS OLD OR OLDER AND
3 QUALIFIED ORGANIZATIONS THAT WISH TO SOLICIT MONEY OR DONATIONS FROM
4 THE OCCUPANT OF A VEHICLE BY STANDING IN A ROADWAY, MEDIAN DIVIDER, OR
5 INTERSECTION.

6 (4) THE RESTRICTION ON THE AGE OF INDIVIDUALS WHO MAY BE
7 LICENSED UNDER THE AUTHORITY GRANTED TO THE ANNE ARUNDEL COUNTY
8 COUNCIL UNDER PARAGRAPH (3) OF THIS SUBSECTION APPLIES TO INDIVIDUALS
9 WHO PARTICIPATE IN THE SOLICITATION OF DONATIONS AS MEMBERS OR ON
10 BEHALF OF THE QUALIFIED ORGANIZATION.

11 (5) IF THE COUNTY COUNCIL ENACTS AN ORDINANCE ESTABLISHING A
12 LICENSING PROGRAM AUTHORIZED BY PARAGRAPH (3) OF THIS SUBSECTION, THE
13 ORDINANCE:

14 (I) MAY IMPOSE ~~AGAINST~~ ON AN APPLICANT THAT IS AN
15 INDIVIDUAL OR A QUALIFIED ORGANIZATION A FEE FOR THE LICENSE:

16 ~~1.~~ 2. SUBJECT TO ~~SUBPARAGRAPH ITEM~~(II) OF THIS
17 PARAGRAPH, IN AN AMOUNT NOT TO EXCEED THE COUNTY'S COST TO ADMINISTER
18 THE PROGRAM; ~~AND~~

19 ~~2.~~ 3. ~~WITH RESPECT TO A QUALIFIED ORGANIZATION THAT IS~~
20 ~~ORGANIZED ON A NATIONAL OR STATEWIDE BASIS AND THAT MAY HAVE COUNTY OR~~
21 ~~LOCAL CHAPTERS OR UNITS IN THIS STATE, ONLY AGAINST THE NATIONAL OR~~
22 ~~STATEWIDE ORGANIZATION;~~

23 (II) MAY NOT IMPOSE A FEE EXCEEDING \$100 PER YEAR FOR EACH
24 APPLICANT FOR A LICENSE OR A RENEWAL OF A LICENSE;

25 (III) SHALL INCLUDE PROVISIONS FOR THE DURATION AND
26 RENEWAL OF THE LICENSE;

27 (IV) MAY REQUIRE THAT AN APPLICANT OR LICENSEE PROVIDE
28 NOTICE TO THE COUNTY AS TO THE DATES ON WHICH THE SOLICITATION WILL
29 OCCUR; AND

30 (V) MAY PROVIDE FOR:

31 1. AN EXEMPTION FROM THE FEE FOR AN INDIVIDUAL WHO
32 IS UNABLE TO PAY THE FEE; AND

33 2. PROCEDURES FOR AN INDIVIDUAL TO COMPLY WITH IN
34 ORDER TO DEMONSTRATE THE INDIVIDUAL'S INABILITY TO PAY THE FEE; ~~AND~~

35 3. ~~ANY OTHER EXEMPTION FROM THE FEE THAT THE~~
36 ~~COUNTY COUNCIL CONSIDERS APPROPRIATE OR NECESSARY.~~

1 (6) AN ORDINANCE THAT IMPOSES A FEE UNDER PARAGRAPH (5) OF
2 THIS SUBSECTION ON AN APPLICANT THAT IS A QUALIFIED ORGANIZATION
3 ORGANIZED ON A NATIONAL OR STATEWIDE BASIS AND HAVING MORE THAN ONE
4 COUNTY OR LOCAL CHAPTER IN THE STATE SHALL IMPOSE ONE FEE TO BE PAID BY
5 THE NATIONAL OR STATEWIDE ORGANIZATION TO COVER ALL OF THE COUNTY OR
6 LOCAL CHAPTERS IN THE STATE.

7 ~~(6)~~ (7) (I) IF THE COUNTY COUNCIL ENACTS AN ORDINANCE
8 ESTABLISHING A LICENSING PROGRAM AUTHORIZED BY PARAGRAPH (3) OF THIS
9 SUBSECTION, AN INDIVIDUAL OR ORGANIZATION THAT DECIDES NOT TO SEEK TO
10 BECOME LICENSED UNDER THE PROGRAM ~~OR THAT IS DENIED A LICENSE UNDER~~
11 ~~THE PROGRAM~~ MAY NOT STAND IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION
12 IN ANNE ARUNDEL COUNTY TO SOLICIT MONEY OR DONATIONS OF ANY KIND FROM
13 THE OCCUPANT OF A VEHICLE.

14 (II) IF THE COUNTY COUNCIL DOES NOT CHOOSE TO ENACT AN
15 ORDINANCE TO ESTABLISH A LICENSING PROGRAM AS AUTHORIZED BY PARAGRAPH
16 (3) OF THIS SUBSECTION, THE PROVISIONS OF THIS SUBSECTION MAY NOT BE
17 CONSTRUED TO PROHIBIT AN INDIVIDUAL OR QUALIFIED ORGANIZATION FROM
18 STANDING IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION IN THE COUNTY TO
19 SOLICIT MONEY OR DONATIONS FROM THE OCCUPANT OF A VEHICLE.

20 ~~(7)~~ (8) IF THE COUNTY COUNCIL ENACTS AN ORDINANCE
21 ESTABLISHING A LICENSING PROGRAM AUTHORIZED BY PARAGRAPH (3) OF THIS
22 SUBSECTION, THEN ON OR BEFORE DECEMBER 1 OF THE CALENDAR YEAR THAT
23 OCCURS AFTER THE ANNIVERSARY OF THE FIRST 12 MONTHS OF THE
24 IMPLEMENTATION OF THE LICENSING PROGRAM, THE ANNE ARUNDEL COUNTY
25 POLICE DEPARTMENT SHALL REPORT IN WRITING TO THE ANNE ARUNDEL COUNTY
26 DELEGATION TO THE GENERAL ASSEMBLY ON THE EFFECTIVENESS OF THE COUNTY
27 POLICE DEPARTMENT'S ENFORCEMENT OF THE PROVISIONS OF THIS SUBSECTION
28 WITH RESPECT TO INDIVIDUALS AND ORGANIZATIONS TO SOLICIT MONEY OR
29 DONATIONS ON ROADWAYS, MEDIAN DIVIDERS, OR INTERSECTIONS IN THE COUNTY
30 FROM THE OCCUPANTS OF VEHICLES.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect July 1, 2004.